

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Central District of California on the following ☐ Patents or ☒ Trademarks:

DOCKET NO. SACV06 1106		DATE FILED 11/15/2006	U.S. DISTRICT COURT Central District of California
PLAINTIFF WINE OF THE MONTH CLUB, INC.		DEFENDANT MALT OF THE EARTH, INC.	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1 1,500,846	8/16/1988	Wine of the Month Club, Inc.	
2 2,881,828	9/7/2004	Wine of the Month Club, Inc.	
3 1,246,348	7/26/1983	Paul Kalemkarian	
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5			

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 U.S. DISTRICT COURT
 CENTRAL DISTRICT OF CALIF.
 LOS ANGELES

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY	<input type="checkbox"/> Amendment	<input type="checkbox"/> Answer	<input type="checkbox"/> Cross Bill	<input type="checkbox"/> Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK			
1					
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3					
4					
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

FILED

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26 UNITED STATES DISTRICT COURT
27 CENTRAL DISTRICT OF CALIFORNIA
28 SOUTHERN DIVISION

20 WINE OF THE MONTH CLUB, INC., a
21 California Corporation,

22 Plaintiff,

23 v.

24 C&H CLUBS USA, INC., a California
25 Corporation,

26 Defendant.

Case No.: SACV06-1106 CJC

NOTICE OF FINAL
SETTLEMENT AND MOTION TO
DISMISS WITH PREJUDICE

Hon. Cormac J. Carney
Courtroom 9B

1 TO THE CLERK OF THIS HONORABLE COURT:

2 PLEASE TAKE NOTICE that a final settlement agreement ("Settlement
3 Agreement") has been reached among Wine of the Month Club, Inc. and C&H
4 Clubs USA, Inc. (collectively, the "Parties"), obviating the need for this Court to
5 retain jurisdiction of the above-captioned action (the "Action") for thirty days, per
6 the Court's order issued on July 7, 2008 (the "Order").

7 The Order dismissed the Action without prejudice. As required under the
8 terms of the Settlement Agreement, the Parties move to dismiss the Action with
9 prejudice pursuant to Federal Rule of Civil Procedure 41(a).

10 The foregoing is respectfully submitted by the undersigned counsel.

11 DATED: August 19, 2008

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17 DATED: August 19, 2008

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